

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MARCI WEINGARTEN AND
TOM CLARK, on behalf of themselves and all
others similarly situated in New Mexico,

Plaintiffs,

vs.

Case No. 07-CV-00218 JP/WDS

AU Optronics Corp., et al.

ORDER APPROVING STIPULATION
FOR EXTENSION OF TIME

This matter having come before the Court on the Joint Motion for Approval of Stipulation for Extension of Time, and the Court having reviewed the Motion and the parties having stipulated to an appropriate extension of time to respond to the First Amended Complaint, it is therefore ORDERED that

1. The deadline for Defendants AU Optronics Corporation America; Chi Mei Optoelectronics U.S.A., Inc.; Epson America, Inc.; Epson Electronics America, Inc.; Hitachi America, Ltd.; LG.Philips LCD America, Inc.; Mitsubishi Electric & Electronics USA, Inc.; NEC Electronics America, Inc.; Panasonic Corporation of North America; Samsung Electronics America, Inc.; SANYO North America Corporation; and Sharp Electronics Corporation (the “Moving Defendants”) to respond to the First Amended Complaint shall be extended until the earliest of the following dates: (1) forty-five days after the filing of a Consolidated Amended Complaint in the LCD Cases; (2) forty-five days after Plaintiffs provide a written notice to the Moving Defendants that they do not intend to file a Consolidated Amended Complaint, provided that such notice may be given only after the initial case management conference in the MDL transferee court in this case; or (3) as ordered by the MDL transferee court.

2. This extension is available, without further stipulation with counsel for Plaintiffs, to all named defendants who notify Plaintiffs in writing of their intention to join this extension and who file a motion with the Court seeking such extension on the same terms as set forth in this motion.

3. Plaintiffs, the Moving Defendants, and any other named defendants that provide notice of their intention to join this extension pursuant to the preceding paragraph agree that such defendant shall not contest the sufficiency of process or service of process. This Stipulation does not constitute a waiver of any other defense, including but not limited to the defenses of lack of personal or subject matter jurisdiction or improper venue.

4. Plaintiffs, the Moving Defendants, and any other named defendants joining this extension pursuant to paragraph 2 agree that notwithstanding the above paragraphs, should any defendant to whom this extension applies, except pursuant to Court Order, respond to any complaint in another LCD Case prior to the date contemplated by this Stipulation, then such defendant shall make a simultaneous response to the First Amended Complaint in the above-captioned matter.



W. Daniel Schneider
United States Magistrate Judge